

Exhibit “F”

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VERONICA BROWN,

Docket No.: CV-14-5960

Plaintiff,

-against-

Affidavit of
Adrian E. Scantlebury

MARRIOTT INTERNATIONAL, INC.,

Defendant.

X

IN THE FEDERATION OF ST. KITTS & NEVIS, WEST INDIES

I ADRIAN E. SCANTLEBURY, ATTORNEY-AT-LAW, of the Palms Building, the Circus, Basseterre, St. Kitts being fully sworn, deposes and states:

1. I am the founder of the Scantlebury Law Firm, located in Basseterre, St. Kitts, in the Federation of St. Kitts & Nevis.
2. I am admitted to practice law in the Republic of Trinidad & Tobago since 2004 and in the Federation of St. Kitts and Nevis since 2005. I obtained a Bachelor of Laws degree with honors from the University of London in 2002, and a Master of Laws degree from the same University in 2010.
3. I am a member of the Bar Associations of Trinidad & Tobago and St. Kitts & Nevis.
4. I am thoroughly familiar with the civil judicial process in the Federation of St. Kitts & Nevis and have practiced civil law in this jurisdiction since 2005.
6. I have been informed by Marriott's attorney of the basic facts of the above-referenced case, currently pending in the United States District Court for the Eastern District of New York, and have been asked by the said attorney to state what civil process would be afforded the Plaintiff should her case be tried in the Federation of St. Kitts & Nevis.

7. The judicial system of the Federation of St. Kitts & Nevis is an available and adequate alternative forum for the Plaintiff as it would provide the following due process:

- i. A Common Law system, which is generally based on British Common Law, would be applicable.
- ii. The Federation is a constitutional democracy with an independent judicial system.
- iii. The applicable Common Law recognizes negligence and personal injury actions.
- iv. Although such cases are not taken on a contingency basis in our jurisdiction, it is common for legal practitioners to offer Plaintiffs workable payment terms for representing Plaintiffs in such actions. Also, the courts routinely grant costs to the prevailing party.
- v. Pretrial process and discovery exist in our system, as does a case management system. There is also provision for court-connected mediation.
- vi. Plaintiffs have a right to a trial as well as two levels of appellate review, first at the Eastern Caribbean Court of Appeal, and then to the Privy Council based in the United Kingdom.
- vii. Personal injury trials in St. Kitts are adjudicated through a written forum consisting of witness statements supplemented by oral testimony.
- viii. It is common that all parties are required to file witness statements simultaneously.
- ix. The court has the power to order bifurcation of a trial so as to hear the liability issue separately from the damages issue.

x. Personal injury cases are not tried by jury but rather by a single judge sitting alone.

xi. There is a six year statute of limitations for personal injury actions.

8. The Federation of St. Kitts & Nevis civil judicial system adjudicates most civil cases in two years or less.

9. Plaintiff's case is appropriate for adjudication in the Federation of St. Kitts & Nevis because the hotel where the incident occurred is here, and:


(a) I am advised by Marriott's counsel that the corporation that owns the hotel is a St. Kitts corporation; and

(b) I am advised by Marriott's counsel that the corporation that manages the hotel, and uses the "Marriott" branding according to contract, is a St. Kitts corporation.

FURTHER AFFIANT SAYETH NOT.


Adrian E. Scantlebury

Basseterre, St. Kitts
Dated this 26th day of August, 2015


Notary Public Signature
Name: Fitzroy Eddy
My commission is indefinite at the will of the
Chief Justice of the Eastern Caribbean Supreme Court

